

Amendment No. 1 to SB1443

Lundberg
Signature of Sponsor

AMEND Senate Bill No. 1443

House Bill No. 727*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 49-2-211, is amended by deleting subsection (b) and substituting:

(b) The policy must:

(1) Allow a parent or legal guardian access to review all surveys, analyses, or evaluations, prior to being administered to the parent or legal guardian's child; and

(2) Require the LEA to obtain the written, informed, and voluntarily signed consent of a student's parent or legal guardian, or the student if the student is eighteen (18) years of age or older, before the student participates in a survey, analysis, or evaluation. This subdivision (b)(2) does not apply if the full survey, analysis, or evaluation is related to classroom instruction of a curriculum and the survey, analysis, or evaluation is distributed to students as a method of evaluating the effectiveness of an instructional curriculum. A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, may withdraw the parent's, legal guardian's, or student's consent at any time before the student participates in the survey, analysis, or evaluation.

SECTION 2. Tennessee Code Annotated, Section 49-1-1002, is amended by deleting subdivision (b)(2) and substituting:

(2) A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, must provide a written, informed, and voluntarily signed

consent to the student's LEA before the student receives or participates in any or all of the health services provided by a coordinated school health program. A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, may withdraw the parent's, legal guardian's, or student's consent at any time before the student receives or participates in the health services; and

SECTION 3. Tennessee Code Annotated, Section 49-6-1308, is amended by deleting subsection (b) and substituting:

(b)

(1) A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, must provide a written, informed, and voluntarily signed consent to the student's LEA or public charter school for the student to receive instruction of a sexual orientation curriculum or gender identity curriculum. A student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, may withdraw the parent's, legal guardian's, or student's consent at any time before the student receives instruction of a sexual orientation curriculum or gender identity curriculum.

(2) If a student's parent or legal guardian, or the student if the student is at least eighteen (18) years of age, does not consent to the student receiving instruction of a sexual orientation curriculum or gender identity curriculum, then the student is excused from receiving instruction of a sexual orientation curriculum or gender identity curriculum and shall not be penalized for grading purposes by the student's LEA or public charter school.

SECTION 4. Tennessee Code Annotated, Section 49-6-1031(b), is amended by deleting the subsection and substituting:

(b) A school shall not allow a student to become a member of a club or organization, or allow a student to participate in any activity of a club or organization,

unless the student's parent or legal guardian first provides consent to the student's membership or participation in a dated, written consent.

SECTION 5. This act takes effect July 1, 2023, the public welfare requiring it.